

**REMARKS**

Claims 1, 2, 4 and 6-21 were previously pending in the application. By the Amendment, Claims 1, 6, and 17 are currently amended, Claim 18 is canceled without prejudice and Claims 2, 4, 7-16 and 19-21 remain unchanged.

The claims stand rejected under the cited prior art of record. Specifically, Claims 1, 2, 4 and 6-21 were rejected under 35 USC §103(a) as being unpatentable over US Patent No. 6,186,656 to Peneranda (Peneranda '656) in view of US Patent No. 2,822,198 to Priestman (Priestman '198).

Independent Claim 1 recites a motorized kitchen appliance including a housing with a drive shaft mounted in the housing. A rotating element is driven by the drive shaft. A circlip is provided for securing the driveshaft while limiting movement of the drive shaft in at least a first longitudinal direction of the drive shaft relative to the housing, wherein the circlip includes a protruding wire formed by two legs of the circlip. The circlip engages at least a portion of the housing between the two legs to restrict rotational movement of the circlip with respect to the housing. The circlip is mounted to the drive shaft for longitudinal movement in at least the first longitudinal direction of the drive shaft relative to the housing.

Independent claim 6 recites the present invention in different terms, however the circlip remains mounted for longitudinal or axial movement with respect to the housing.

Claim 17 recites a motorized kitchen fruit press including a housing and an electromotor disposed within the housing. A drive shaft is mounted for rotation with respect to the housing and is rotationally driven by the electromotor with the drive shaft being movable in an axial direction with respect to the housing. A rotating element projects from the housing and is connected to the drive shaft for receiving a piece of fruit containing juice. A stop member extends outwardly from the housing. A circlip is

removably connected to the drive shaft for limiting axial movement of the drive shaft in a first axial direction with the circlip being movable in the first axial direction. The circlip is formed with two laterally projecting crossed leg members for full circumferential coverage of the drive shaft with at least one of the leg members configured for abutment with the stop rod to restrict substantial rotational movement of the circlip.

The fact that the circlip with the protruding wire is axially movable constitutes an important, but not singularly important feature of the present invention. As in certain kitchen appliances, such as juicers, the drive shaft to which the circlip is attached must be moveable in the axial direction. To address this, the inventors have devised a circlip that only limits the movement of the drive shaft-rather than fixing it-in an axial direction by means of mounting the circlip moveable relative to the housing. The drive shaft is further stabilized by the inclusion of a circumferentially extending clip not subject to any spring bias for operation.

The subject matter of amended independent claims 1, 16, and 17 may be distinguished over the cited references.

Pennaranda '656 discloses a processing tool having a working shaft 4 guided through a housing 1 in a manner such that the shaft axis 5 is located within the tubular shaft housing 2 and the bell-shaped housing 3, as seen in Figure 4 (Col. 3, ll. 39 – 44). As seen in Figures 1 and 4, a bearing sleeve 7 is secured against axial displacement on the working shaft 4 by lower circlip 15 resident within a groove of the work shaft 4 and by an upper circlip 16 correspondingly clipped into a working grove of the working shaft 4 with the circlips engaging the lower end and the upper end of the bearing sleeve 7 (Col. 3, ll. 60 – 67).

As seen in Figures 1 and 4 of Penaranda '656, the circlips 15 and 16 do not extend circumferentially around the working shaft 4 but rather are semicircular members that provide their own inherent spring bias in order to remain in place on the working shaft 4.

Such clips rotate with the shaft and are in place to confine the bearing sleeve 7 to its proper operational location along the working shaft 4. Accordingly, the circlips 15 and 16 have no singular effect on axial movement of the working shaft 4. It is only a combination of the circlips with the bearing sleeve in combination with other housing structures as seen in figure 4 that prevents axial movement of the working shaft 4. As is also evident from figure 4, the circlips 15 and 16 do not contact the housing portion since the bearing sleeve cannot be said to be a part of the housing due to both its structure and function. Therefore, there is no motivation to combine Penarada '656 with Priestman '198 or any other reference to achieve the present invention. In fact, the combination of Penarada '656 and any other reference would not result in the present invention.

Unlike the known fastening clips with projecting wires, namely those of Priestman '198, the present circlip is mounted to be moveable in an axial direction and extends circumferentially around the drive shaft, with its projecting wires crossed. Quite to the contrary, the Priestman '198 clip is not a "circlip" at all, in that it is not a circumferential clip, but rather the Priestman '198 structure is a clip-like fastener that tightly engages the pin member illustrated at 26 in Figure 1 to prevent all axial movement of the pin member, which does not rotate. In fact, the Priestman '198 clip prevents all movement of the pin member. This is accomplished by binding the pin member along two side portions thereof by the diverging and non-crossed projecting legs of the clip. The projecting leg members are forced into an opening in a restricting plate where the natural spring bias created by tension in the loop ring 12 as seen in Figure 3 clamps the pin tightly, thus forming a fastener means as set forth by Priestman '198. Notably the loop ring 12 does not circumnavigate the pin member but functions as a biasing spring and as part of a plate clamp. Accordingly Priestman '198 does not disclose any form of circlip allowing rotation of a shaft.

The axial immobility of the circlip of Priestman '198 corresponds to the disclosure of Penarada '656 which does not suggest an axial movement of the drive shaft. The device of US 618656 does not require such axial movement as it concerns a

mixing tool in which the rotating element and the drive shaft must be axially fixed (Col. 3, ll. 60-67) Therefore there is no teaching or suggestion for modifying the circlip of either Peneranda '656 or Priestman '198 to make it moveable in an axial direction. Accordingly, there is no teaching or motivation to combine the references and, as is apparent from the foregoing, such combined references would not result in the present invention.

For these and other reasons, Penaranda '656 and Priestman '198, either alone or in combination, do not teach or suggest the subject matter defined by independent Claims 1, 6 and 17. Therefore, Claims 1, 6 and 17 are allowable. Claims 2, 4, 7-16 and 19-21 all depend from Claims 1, 6 and 17 respectively and are allowable for the same reasons and also because they recite additional patentable subject matter.

### CONCLUSION

In view of the above, entry of the present Amendment and allowance of Claims 1, 2, 4, 6-17 and 19-21 are respectfully requested. If the Examiner has any questions regarding this amendment, the Examiner is requested to contact the undersigned. If an extension of time for this paper is required, petition for extension is herewith made.

Respectfully submitted



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